

REMARKS

Claims 29-39 are pending in the application. Claims 1-23 were previously canceled. Claims 23-28 and 37-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gammon. Claims 29-36 have been allowed. Claims 23-28 have been canceled by this amendment, and claims 37-39 have been amended. Reconsideration and reexamination of the application in view of the amendments and the following remarks is respectfully requested.

The present invention is directed to a system for simulating a crowd of real people seated in stadium or auditorium style seating and viewing a particular event in a foreground scene when recording a scene in a visual recording media production. The system uses a plurality of inflatable life-sized humanoid figures that are placed in the background of the scene to be recorded. Each figure represents the general shape of an upper portion of a real humanoid, and each figure may be given a unique appearance as compared to the other figures, either by markings directly on the figures, or by adding apparel to the figures. Each inflatable figure also includes a substantially flat bottom portion for supporting the figure in seats such as stadium or auditorium style seating. When a large number of inflated humanoid figures are seated in the background scene in close proximity to each other, the figures simulate a crowd of real people viewing the particular event in the foreground scene. The figures may then be visually recorded in a manner that does not capture a clear image of the inflated plurality of inflatable life-sized humanoid figures as compared to the foreground scene.

Claims 23-28 and 37-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gammon. Claims 23-28 have been canceled. Claims 37-39 have been amended. With the amendments to claims 37-39, it is respectfully submitted that the rejection of those claims under 35 U.S.C. §103(a) as being unpatentable over Gammon have been overcome.

Claim 37 recites a plurality of inflatable life-sized humanoid figures, and has been amended to include the limitation that each inflatable life-sized humanoid figure is "capable of being given a unique appearance as compared to other inflatable life-sized humanoid figures." Gammon completely fails to disclose, teach or suggest these limitations, and in fact teaches away from these limitations.

Gammon is directed to an inflatable figure for use in a tree stand. By placing a likeness of a hunter in the tree stand for a period of time, game animals such as deer that wander past the tree stand on a regular basis will gradually become accustomed to the appearance of a hunter, and will approach with reduced caution. Later, when the real hunter occupies the tree stand instead of the inflatable figure, the game animals will not be wary, and the hunter will have a better opportunity to shoot the animal.

Gammon clearly contemplates the use of a solitary figure in a tree stand, which is the common hunting scenario. A crowd of multiple hunters in a tree stand is not a practical hunting scenario to be simulated by inflatable figures, and thus Gammon teaches away from the use of a plurality of inflatable figures to simulate a crowd. Because Gammon only envisions the use of a single inflatable figure, it contains no teaching at all related to an inflatable figure capable of being given a unique appearance as compared to other inflatable life-sized humanoid figures, as recited in amended claim 37.

Because Gammon does not disclose, teach or suggest all of the limitations of amended claim 37, and in fact teaches away from the use of a plurality of inflatable figures, it is respectfully submitted that the rejection of amended claim 37 under 35 U.S.C. §103(a) as being unpatentable over Gammon has been overcome. Furthermore, because claims 38 and 39 depend from claim 37, the rejection of those claims has been overcome for the same reasons provided above with respect to claim 37.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5752 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 559852000101.

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Respectfully submitted,

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